HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI
AND
HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

Writ Petition No. 15907 of 2007

Between:

Smile Waters,
Anantapur, rep. by its Managing Partner,
K. Anand

... Petitioner

And

Union of India,
Rep. by its Joint Secretary,
Ministry of Health and Family Welfare,
New Delhi & others

... Respondents

:: O R D E R ::

Counsel for the petitioner : Shri M. Govind Reddy

Counsel for respondent No.6: Shri S.I. Newton

July 27, 2007

Per G.S. Singhvi, CJ

In this petition, the petitioner has prayed for striking down the Prevention of Food Adulteration (Amendment) Rules, 2000 and Appendix-B introduced by amendment dated 04.04.2006. Another prayer made by the petitioner is to direct the Municipal Corporation of Anantapur (for short, 'the Corporation') to permit it to dispose of the machinery used for manufacture of packaged drinking water.

At the hearing, Shri M. Govind Reddy, learned counsel for the

petitioner made a statement that his client does not want to continue the activity of manufacturing packaged drinking water and submitted that it may be permitted to dispose of the machinery used for manufacturing packaged drinking water. He relied on order passed by this Court in Writ Petition No.20832 of 2006 and submitted that his client will feel satisfied if a direction similar to the one made in Writ Petition No.20832 of 2006 is passed in this case.

Shri S.I. Newton appearing for the Corporation says that he will have no objection, if the writ petition is disposed of in terms of order dated 18.10.2006 passed in Writ Petition No.20832 of 2006.

In view of the statements made by the learned counsel, the writ petition is dismissed subject to the direction that within seven days of submission of the application by the petitioner, the Commissioner of the Corporation shall pass appropriate order, ensure release of the seized machinery and allow the petitioner to dispose of the same.

As a sequel to dismissal of the writ petition, W.P.M.P.No.20177 of 2007 filed by the petitioner for interim relief is also dismissed.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

July 27, 2007
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